

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, : Docket #23-mj-02007
Plaintiff, :
-against- :
YANPING WANG, : New York, New York
March 22, 2023
Defendant.

-----:

PROCEEDINGS BEFORE
THE HONORABLE SARAH NETBURN
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For Plaintiff: UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT OF NEW YORK
BY: JULIANA N. MURRAY, ESQ.
MICAH F. FERGENSON, ESQ.
1 St. Andrew's Plaza
New York, New York 10007

For Defendant: LIPMAN LAW, PLLC
BY: ALEX LIPMAN, ESQ.
147 W. 25th Street, 12th Floor
New York, New York 10001

For Defendant: CHAUDHRYLAW, PLLC
BY: PRIYA CHAUDHRY, ESQ.
147 W. 25th Street, 12th Floor
New York, New York 10001

Transcription Service: Marissa Mignano Transcription
Phone: (631) 813-9335
E-mail:marissamignano@gmail.com

Proceedings recorded by electronic sound recording;
Transcript produced by transcription service

INDEXE X A M I N A T I O N S

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>Direct</u>	<u>Re-</u> <u>Cross</u>
None				

E X H I B I T S

<u>Exhibit</u> <u>Number</u>	<u>Description</u>	<u>ID</u>	<u>In</u>	<u>Voir</u> <u>Dire</u>
None				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE DEPUTY CLERK: Your Honor, this is matter of United States v. Yanping Wang. Case is number 23-mj-2007.

Starting with the Government, could you please state your appearance for the record.

MS. MURRAY: Good morning, Your Honor. Juliana Murray and Micah Fergenson on behalf of the United States.

THE COURT: Thank you.

MR. LIPMAN: Good morning, Your Honor. Alex Lipman of Lipman Law PLLC and my colleague Priya Chaudhry of ChaudhryLaw PLLC here for the defendant, Yanping Wang.

THE COURT: Thank you. Ms. Wang, can you sorry -- go ahead.

MS. CHAUDHRY: The defendant is present seated between us and being assisted by a Mandarin interpreter.

THE COURT: Thank you.

Ms. Wang, is your interpreter device working okay?

THE DEFENDANT: Yes. It's okay.

THE COURT: Okay. If at any point you have difficulty hearing through the interpreter, please

1 let us know. Okay?

2 THE DEFENDANT: Understood.

3 THE COURT: All right. So in preparation
4 for this proceeding, I've reviewed the pretrial
5 services report that was prepared about two weeks
6 ago, maybe a week ago, when the defendant was
7 initially here. And I have the transcript from
8 March 15th when the defendant was presented before
9 Judge Parker, which I've reviewed.

10 I understand that Judge Parker set
11 conditions for the defendant's release, required
12 that the conditions be satisfied before she be
13 released. And I understand that we are here
14 potentially for a Nebbia hearing. Nobody has
15 submitted anything else to me, so I don't know
16 anything else than now what I've shared with you.

17 MS. MURRAY: Yes, Your Honor. So we
18 received a call last night from defense counsel,
19 yesterday evening. They provided a number of
20 potential cosigners. We've received documents for
21 five of those and interviewed four and had not
22 gotten to the point where we had two cosigners that
23 we approved.

24 So last evening, defense informed us that
25 they wanted what they referred to as a Nebbia

1 hearing. I understood the defense was going to file
2 something for the Court overnight, but we just
3 notified arraignment and arranged for defendant to
4 be produced. So I will leave it to defense what
5 they want to cover here today.

6 THE COURT: Okay. Can I ask you just to
7 move the microphone --

8 MR. LIPMAN: I'm sorry.

9 THE COURT: -- directly in front of you.

10 MR. LIPMAN: Your Honor, the reason we are
11 here is because the Government has unreasonably, in
12 our view, refused to approve the cosigners we
13 proposed. So, as the Government said, we gave them
14 more than five names. We gave them something like
15 nine names, and they interviewed -- they have
16 documents for five. They interviewed four. They've
17 rejected all of them.

18 And the reason we're here is because we are
19 going to ask Your Honor to either approve the people
20 we've proposed or change the bail conditions in such
21 a way that Ms. Wang can satisfy the bail conditions
22 and be released. So if I may just start before, as
23 an initial map, right, since Your Honor has reviewed
24 the pretrial report, Your Honor can see that the
25 pretrial recommendation is much more -- much less --

1 THE COURT: Let me stop you for one second.

2 MR. LIPMAN: Yeah.

3 THE COURT: I'm not really inclined to
4 overrule my colleague who heard bail arguments and
5 set a bail condition. So I'm not sure that's what I
6 want to do, if that's what you're asking me to do.
7 If you're asking me to consider the reasonableness
8 of the proposed sureters I understand under the law,
9 I can do that.

10 I don't know anything about what that
11 standard of review is, and I don't have any names or
12 documents, so I don't know that that's something I
13 can do from the bench.

14 MR. LIPMAN: Well, Your Honor, let me set
15 the stage for this, and maybe that'll help.

16 THE COURT: Okay.

17 MR. LIPMAN: Ms. Wang is a political
18 refugee from China. She is a part of a movement of
19 people who are opposing the Chinese Communist Party.
20 And it's a pretty big movement. And because of her
21 participation in the movement as a very senior
22 person, she cannot return to China. If she did, she
23 would be arrested at the airport and probably
24 executed within days.

25 So she's here. She lost her family in

1 China. Her husband was required to divorce her.
2 She has a son she hasn't seen in something like nine
3 years because she's not allowed to be in contact
4 with him. Her father died without seeing her. She
5 can't contact her brother anymore. She used to, but
6 all of the family members have been arrested at one
7 point or another and told to cut off all contact
8 with her. Okay?

9 So the only people with whom she has
10 contact are people who are part of this movement or
11 in some way related to the main defendant in this
12 case. The Government is well aware of this. When
13 we actually agreed to the \$5 million bond and two
14 cosigners, when we did that we understood that the
15 Government understood, and we had a conversation
16 about it, that the people who would cosign for her
17 are not going to be family members.

18 Her only friends are people who are in this
19 circle, and they're willing to sign for her, and
20 they think that they have moral suasion over her.

21 THE COURT: Sorry. She's been living in
22 the United States since 2017; is that correct?

23 MR. LIPMAN: She has.

24 THE COURT: And in those six years, she
25 hasn't befriended anybody who's not within that

1 movement?

2 MR. LIPMAN: What she does is she works,
3 and then she goes home, and then she works. And her
4 entire life, during this entire time, has been
5 moving from her apartment to where she works and
6 back. She actually -- the answer is that her entire
7 world is people -- people in this -- people in this
8 community. We did have one person who is a very
9 well-known individual in the United States who is
10 not part of that -- is not Chinese, and he
11 volunteered to post a property worth two and a half
12 million dollars to secure her bond.

13 We proposed that if he were -- if he were
14 to do two and a half million dollars of his
15 property, and she confessed judgment on her
16 apartment, that's three and a half million dollars.
17 They have \$130,000 in cash that they seized from her
18 apartment. And then there is an account with
19 approximately, I want to say, 4- to 500,000 dollars
20 in it.

21 We proposed to put all of that together for
22 \$4 million security for the bond and then so that
23 they could, you know, approve the people that they
24 had interviewed, and they refused. So we are at a
25 point now where they won't approve the people we

1 proposed because they are either not connected to
2 her or too poor or connected with the main defendant
3 and that kind of short circumstance. There's
4 nothing we can do.

5 THE COURT: Sorry. They rejected the
6 \$2.5 million property from somebody else because
7 that person was not connected?

8 MR. LIPMAN: No, not because he was not
9 connected. He is a very well-known individual, and
10 he has his own legal problems. He wasn't going to
11 cosign the bond. He was just going to put up the
12 property to secure her bond, and they rejected him
13 because they said that he was a convicted felon,
14 which, frankly, that's not -- neither here nor
15 there. There is no requirement that incapacitates
16 somebody who is convicted felon from securing
17 somebody else's bond.

18 THE COURT: And that person was prepared to
19 basically hand over the deed to the Government?

20 MR. LIPMAN: Correct, he was prepared to
21 confess judgment on his property.

22 Now, we now -- potentially, we might have
23 other people who might be willing to do something
24 like that, but the key issue here is this: The
25 three people that they interviewed -- there are

1 three people they interviewed they have no issues
2 with, as far as I can tell, just as far as I can
3 tell. And they won't approve them.

4 First, they told us that they won't approve
5 them because they don't have enough assets. Okay?
6 So then we had subsequent conversations in which
7 they said, well, the other problem is that they are
8 too remote from her. They don't have moral suasion
9 over her. Well, they think that they do, which is
10 why they're doing this.

11 And, by the way, Your Honor, even if they
12 don't have the \$5 million to stand behind this bond,
13 they are financially responsible people. They would
14 be ruined if the bond -- she defaulted on the bond.
15 One of them is a lawyer. We offered another lawyer
16 who is -- who is a -- we gave them the name. They
17 didn't run it down because they told us straight
18 away that he won't work.

19 But we offered an IT professional -- I
20 think two IT professionals, if memory serves.

21 THE COURT: Two what professionals?

22 MR. LIPMAN: IT.

23 THE COURT: IT.

24 MR. LIPMAN: We offered -- they interviewed
25 one of the lawyers. He is not rich now, but he does

1 have his own practice. He is a financially
2 responsible person, and the bond is secured with a
3 confession judgment on her apartment. She's going
4 to be at home with an ankle monitor. She's confined
5 to her apartment. She can't leave it unless she
6 comes to visit us.

7 How do we get out of this?

8 THE COURT: Okay. Let me hear from the
9 Government. Thank you.

10 MS. MURRAY: Your Honor, the Government's
11 view is that this proceeding is premature. There is
12 a process for the Government to interview and
13 evaluate the qualifications of potential cosigners.
14 As Your Honor noted, a week ago, Judge Parker
15 imposed conditions, and she agreed with both the
16 Government and Pretrial that those conditions needed
17 to be met before Ms. Wang could be released.

18 One of those conditions was two qualified
19 cosigners on a \$5 million bond. The reason that
20 we're here today, as I understand, is because the
21 defense is unhappy with the Government's
22 determination that various of the names that they
23 provided are not qualified.

24 There are a couple of points I want to
25 make, and I don't want to get into the details of

1 the individual because Your Honor doesn't have the
2 information in front of you right now. But as an
3 example, the individual who is willing to pledge the
4 2.2 million in property, defense never provided us
5 with the address for the property. So we weren't
6 able to run it down to find out how much equity was
7 in the property, what was the mortgage, what was the
8 source of funds used for the property.

9 And that prominent individual who they said
10 owned the property is an individual who is very
11 involved in the fraud in this case. And this is a
12 billion-dollar fraud that was spearheaded by an
13 individual known as Ho Wan Kwok or Miles Guo. The
14 individual who was going to pledge the property has
15 been involved in several organizations that are
16 alleged to be instrumentalities of the fraud. And
17 Ms. Wang is the chief of staff for Mr. Guo. She
18 runs all of his companies.

19 A couple of the individuals, we did advise
20 defense counsel, we couldn't even in good faith
21 interview as potential cosigners. One of the
22 lawyers that Mr. Lipman mentioned is the outside
23 counsel for three of the different entities that
24 operated this fraud scheme. His law firm had an
25 escrow account that held tens of millions of dollars

1 of fraud scheme funds over the course of the charged
2 conspiracy. That is not a person that we feel
3 comfortable, even if he has the financial means to
4 cosign a bond for the defendant.

5 We have expressed a willingness to work
6 with defense on potential cosigners, particularly in
7 light of their claims. Which we understand that
8 Ms. Wang doesn't have family here, so the moral
9 suasion angle might be different.

10 But we can't be in a position where Judge
11 Parker made a very reasoned judgment on the facts,
12 and the Government agrees that in light of the
13 substantial flight risk that Ms. Wang creates, in
14 light of both her political asylum status, the
15 strength of the Government's evidence, the amount of
16 time she's facing, and her global network of Miles
17 Guo supporters who clearly are willing to put their
18 necks out and sign a bond, even though some of them
19 have only met her once or twice or only speak with
20 her a couple of times.

21 In light of that substantial flight risk,
22 we need to be assured that we have qualified
23 cosigners on this bond. That's all we're doing. It
24 is a process wherein for every cosigner that we
25 evaluate, we request information, we request

1 documents, we conduct an interview, we make an
2 evaluation, and we engage in dialogue. And if we
3 think that person isn't qualified, we ask for
4 another name.

5 In this case, we have been given names in
6 the abstract without even having their documents.
7 Defense has pushed us to approve them in the
8 abstract. With respect to the \$2.2 million property
9 that they proposed would secure the bond, for
10 example, we received a call. They said they had an
11 individual, didn't name the individual at first, who
12 would put up 2.2 million in property. We asked for
13 the address. They said, "We'll get it to you. Will
14 you just agree in principle today?"

15 Your Honor, again, we have a process of
16 going through this, and we are not slow rolling this
17 by any stretch. We have spent a substantial amount
18 of time in the last week running down each of the
19 names and interviewing the people that defense
20 counsel has brought before us.

21 If defense is in a position where they want
22 to argue that the Government's assessment is
23 unreasonable, then under the statute under 18 U.S.C.
24 3142(c)(1)(B)(xii), for the Court to approve or
25 determine the appropriateness of an unapproved

1 surety, the Court needs to have before it all of the
2 documents and assets and evidence underlying that
3 surety's financial situation because the standard is
4 that the Court can, on its own, approve that surety
5 if such surety has a net worth which has sufficient
6 unencumbered value to pay the amount of the bail
7 bond.

8 So we're happy to keep working with
9 defense. We would like to do that to see if there
10 are potentially qualified cosigners. But if we get
11 to a point where defense feels there aren't, the
12 next step would be for the defense to gather
13 together the supporting materials for proposed
14 cosigners, submit them to the Court, and then if the
15 court makes its own independent evaluation that
16 those people have \$5 million in unencumbered assets
17 sufficient to support the bond, then I think their
18 application would appropriately be before the Court.

19 THE COURT: Thank you.

20 MR. LIPMAN: Your Honor, what the
21 Government just said, essentially, is this: We
22 interview these people, make a judgment about
23 whether they're appropriate or not, but the only
24 questions that they need to actually answer are,
25 number one, is this a financially responsible

1 person, and, two, do they have moral suasion over
2 the defendant.

3 THE COURT: But why wouldn't the assessment
4 of whether somebody was a financially responsible
5 person include the responsible part? Meaning if,
6 for instance, the lawyer that you proposed is, in
7 the Government's light, at least involved on some
8 level with the fraud, even if that person has
9 assets, then that person is not responsible in the
10 Government's light.

11 MR. LIPMAN: Well, that person --

12 THE COURT: And so if you want to make an
13 application to the Court, that's one thing. But
14 that's not an unreasonable position for the
15 Government to take.

16 MR. LIPMAN: Your Honor, in that situation,
17 regardless of what the Government thinks he did or
18 didn't do, he would be on the hook for \$5 million.
19 And the idea of a financially responsible person is
20 a little bit of an interesting question. The people
21 that they refuse to -- they interviewed three
22 people, one a lawyer, two -- I think they're both IT
23 professionals. They don't have a problem with those
24 issues -- with those people.

25 What they said to us is, these people don't

1 have enough assets. Well, you know what? They
2 don't have enough assets. But if Ms. Wang were to
3 default on the bond, they would be in serious
4 financial troubles. And they understand that.

5 THE COURT: Right. Unless they fled.

6 MR. LIPMAN: But there's no -- even they do
7 not suggest that. They're completely unrelated to
8 her or to the main defendant. I mean, they are
9 people who know her and are willing to cosign a bond
10 for her, but even the Government doesn't claim
11 there's any issue with them, that they're going to
12 flee or anything like that. One of them is a lawyer
13 practicing in Chicago. He's not going anywhere,
14 Your Honor. He's not making a ton of money, but
15 he's not going anywhere.

16 And one of them is an IT professional who's
17 actually not Chinese, and he's willing to cosign
18 bond. Again, he's not a rich person, but his
19 financial life would be ruined if Ms. Wang were to
20 default on the bond. And he understands that, and
21 he thinks that he's willing to sign.

22 And by the way, he spoke with his wife
23 before he agreed. They both agreed to do so. So
24 these people making serious, serious commitment,
25 they all understand what's going on. They are

1 financially responsible. They're not related to the
2 fraud in any way whatsoever.

3 THE COURT: And so what relief are you
4 seeking today?

5 MR. LIPMAN: What I'm asking the Court to
6 do is to do one of two things: Either direct them
7 to accept the three people being interviewed with
8 whom they didn't have -- about whom they didn't
9 have -- they didn't have an issue with them other
10 than they told us that these people were not
11 sufficiently rich, or alternatively, that you alter
12 the bail conditions in such a way that we could
13 actually reasonably meet.

14 Because if the requirement is that somebody
15 cosigns a bond over who has moral suasion over
16 Ms. Wang, all of those people are in Mr. Guo's
17 orbit, and none of them are going to work. Her best
18 friend is his daughter. She can't sign. She can
19 sign for other reasons, maybe, but she can't sign.
20 We proposed her. They rejected him. They have good
21 reasons for doing it -- or I don't know if they are
22 good reasons. They say they have good reasons for
23 doing it.

24 But they rejected her best friend's
25 boyfriend as a cosigner. They rejected another

1 person who works Mr. Guo as a cosigner. We asked
2 them. There are people who -- she was a senior
3 person in this organization. She interacted with
4 several senior people. We asked -- we gave them the
5 names, we said how about this person, that person.
6 No, no, no, because they're involved in the fraud or
7 they're involved in the movement or they're involved
8 in this, involved in that.

9 Well, what are we supposed to do? We found
10 three people they interviewed who are financially
11 responsible, willing to sign, and did not even --
12 they don't claim are involved in defrauding anyone.

13 MS. MURRAY: Your Honor, if I just may
14 briefly respond to that point. I do want to note I
15 don't believe there's any issue that's ripe for the
16 Court at this point procedurally or under the law.
17 And I don't think that the first prong of relief
18 that Mr. Lipman suggested is appropriate, for the
19 Court to force the Government to approve cosigners.
20 That is not the legal standard.

21 The three individuals Mr. Lipman just
22 mentioned, I want to note, while we said we could
23 get comfortable with them as financially responsible
24 persons, all three of those individuals are victims
25 of the fraud. They all invested in various of the

1 different fraudulent arms of this scheme. The fact
2 that they are willing to sign a bond and they have
3 potential means to support some portion, by no
4 stretch, 5 million, but some portion of that bond is
5 independent of the other prong of the assessment,
6 which is moral suasion.

7 If they sign the bond, what influence do
8 they have over Ms. Wang appearing in future court
9 appearances to protect the assets and the \$5 million
10 debt that could be imposed on people she and her
11 coconspirators have already victimized in the course
12 of this fraud?

13 We have valid bases to have not accepted
14 the cosigners who have been presented. We have a
15 process for reviewing and approving cosigners. And
16 if there are certain people the defense wants to
17 bring to the Court's attention, they need to provide
18 the supporting documentation and make an argument,
19 and the Court can make an independent investment.

20 THE COURT: Okay. I think --

21 MR. LIPMAN: Your Honor, just very briefly,
22 these people understand what they're doing. They're
23 members of a movement of people who are dissidents
24 and are opposing Chinese Government, communist
25 party. Ms. Wang is a very well-known person. They

1 know who she is. They understand the allegations.
2 One of them specifically asked me, before he agreed
3 to do it, to send him the complaint, which I did.
4 And he took time to review the complaint before he
5 gave me permission to contact the Government. Okay?

6 So they know what they're doing. They
7 understand that the Government used them as victims.
8 They are prepared to sign.

9 THE COURT: Okay. I tend to agree with
10 Ms. Murray that there is not an issue before the
11 Court. I'm certainly not going to direct people I
12 don't even know -- I haven't even had names, much
13 less any information. I'm not going to direct the
14 Government to accept these miscellaneous John Does
15 as sureties. That's not how this works. And I
16 don't believe sufficient time has elapsed that
17 justifies revisiting Judge Parker's bail conditions.

18 What I'd like to do is, first, direct you,
19 Mr. Lipman. It sounds like you haven't given all
20 the information to the Government specifically with
21 respect to this person who has property that they
22 might post. You know, they need to do their job. I
23 take Ms. Murray at her word that they are not slow
24 walking this. They are making every effort to
25 locate somebody that the Government is comfortable

1 with. But you do need to provide information so
2 that they can do their job too. So you need to get
3 that information to the Government as soon as
4 possible.

5 I'd like to set a date for an appropriate
6 motion based on what you are proposing. And I guess
7 the question, Mr. Lipman, is when do you want that
8 motion to be filed? I think it does need to be
9 filed with supporting documents and all of the
10 information necessary, and I think it'll just be
11 assigned to the judge who's on duty here. That
12 judge will need to review the information as well.

13 So I don't know how long it'll take you to
14 assemble the paperwork that you would need to
15 assemble to satisfy the Court that the person that
16 you're proposing that you allege the Government has
17 rejected is inadequate and the Court should order
18 the Government to accept that person.

19 So I want to give you enough time to make a
20 motion that's appropriate and supported, but also to
21 continue working with the Government, because I
22 don't hear the Government saying they don't see a
23 way out of this morass. They just need additional
24 information. And it may be as you began,
25 Mr. Lipman, you know, there's a million-dollar

1 property. There's a 2.2, 2.5 million dollar
2 property of somebody else. There's a half a million
3 dollars in a bank that's frozen. It may be that the
4 Government can work with you to cobble something
5 together.

6 But, for instance, if you have a
7 \$2.5 million house in the Hamptons that has \$100,000
8 in equity in it, and the rest is owned by a bank,
9 then that's not going to be helpful for your client.
10 You need to get that information to the Government.
11 They just have no idea.

12 MR. LIPMAN: Your Honor, just to be clear,
13 in the case of this famous individual, the
14 Government says they didn't provide us the
15 information. They knew who it was, and the question
16 was not what the property was. The question was
17 were they going to approve him at all. And they
18 didn't. They said -- they told us they ran it up
19 the flag pole, couldn't do it.

20 It wasn't because the property wasn't
21 appropriate that they turned it down. It wasn't
22 because there was not enough equity in it. It was
23 because they don't like who it is. And the problem
24 that we have and the reason we are in this courtroom
25 today, Your Honor, is because their criteria keeps

1 shifting. First, there was an understanding, an
2 explicit understanding -- I told them right away,
3 look, there are no sisters. There are no brothers.
4 There are no aunts. Okay? It's going to be
5 somebody else.

6 They said, "All right; we understand that."
7 So we gave them names. These people are not rich
8 enough. Okay. Now they're telling you that they
9 also don't have moral suasion. Well, you knew that
10 before when I first gave you the names. I feel like
11 we're not getting anywhere because things are
12 shifting. And I think what they're doing is they're
13 deliberately trying to keep her in in order to put
14 pressure on her so that she becomes their friends,
15 your Honor. I think that's what's really going on
16 here.

17 Friday. We'll file on Friday or tee it up
18 on Friday?

19 MS. CHAUDHRY: We'll file on Friday.

20 MR. LIPMAN: We can file on Friday, Your
21 Honor.

22 THE COURT: Okay.

23 MR. LIPMAN: And, Your Honor, we will
24 continue working with them, but at a minimum, it
25 would be helpful to us if the Court could at least

1 admonish them to work with us in good faith.

2 THE COURT: I'm not going to admonish them
3 because I don't believe that they are not working
4 with you in good faith. So I'm happy to have your
5 application. I hope nothing that's in the
6 application is information that you haven't provided
7 to the Government, because what I'm hearing from the
8 Government, and I don't really need to get into the
9 sandbox to figure out who's right or who's wrong
10 here, is that they haven't received all the
11 information that they need from you. So I hope that
12 you continue to provide that to them.

13 I'll direct the Government to expeditiously
14 respond to the proposals and to make a good faith
15 assessment of those folks. I'm not going to
16 admonish you that you haven't done that yet, but
17 that's certainly your obligation, and I expect you
18 to do so. So this motion is going to be filed on
19 Friday.

20 When would the Government like to file its
21 opposition?

22 MR. FERGENSON: Without knowing what this
23 motion is going to look like, Your Honor, it's a
24 little difficult to say.

25 THE COURT: How about if you file it

1 Wednesday, and we set a conference for the following
2 Friday?

3 MR. FERGENSON: That seems reasonable, Your
4 Honor.

5 THE COURT: Okay. So there's going to be
6 something filed on Friday, which is March 24th.
7 There's going to be an opposition filed on
8 Wednesday, which, if my calculation is right, is
9 March 29th.

10 Is that right, Ms. Fletcher?

11 THE DEPUTY CLERK: That's right.

12 THE COURT: And then I will work with, I
13 believe, Judge Lehrburger, who will be hearing this,
14 for a date for the conference, which will be held on
15 March 31st.

16 If between now and March 31st, the parties
17 are able to work this out, which is my hope, you
18 should obviously notify the Court as soon as
19 possible. And I do think the parties can figure out
20 a way to come up with a resolution here for this
21 issue. This is not the first time the Government
22 has faced complications of this sort, so I'm
23 confident you can figure something out. But
24 obviously, if you can't, then the Court will see you
25 the following Friday.

1 All right. Anything further?

2 MR. FERGENSON: No, thank you, Your Honor.

3 MR. LIPMAN: Thank you, Your Honor.

4 MS. CHAUDHRY: Your Honor, did we have a
5 time for next Friday?

6 THE COURT: We don't.

7 MR. LIPMAN: Okay.

8 THE COURT: We'll set it once -- it's going
9 to be Judge Lehrburger.

10 MS. CHAUDHRY: Thank you.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

I, Marissa Mignano, certify that the foregoing transcript of proceedings in the case of UNITED STATES v. YANPING WANG, Docket #23-mj-02007, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature _____

Marissa Mignano

Date: March 27, 2023